

To: Deegan, Dave[Deegan.Dave@epa.gov]
Cc: Szaro, Deb[Szaro.Deb@epa.gov]
From: Gutro, Doug
Sent: Fri 8/5/2016 1:50:49 PM
Subject: FW: News Clips Special (N.Y. Gov. Cuomo's Long Island press conference related news coverage)

Dave —

Your quote is absolutely perfect. As always — thank you.

Doug

From: Shore, Berry
Sent: Friday, August 05, 2016 9:39 AM
To: Brown, Rudy <Brown.Rudy@epa.gov>; Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Rupp, Mark <Rupp.Mark@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Gutro, Doug <Gutro.Doug@epa.gov>
Subject: FW: News Clips Special (N.Y. Gov. Cuomo's Long Island press conference related news coverage)

AP: Long Island Sound dump plans puts NY, Connecticut at odds

By FRANK ELTMAN

Aug. 4, 2016 8:01 pm

KINGS PARK, N.Y. (AP) — Environmentalists and elected officials in New York are rekindling a long-running dispute with Connecticut over dumping what critics say is potentially harmful silt from dredging projects into Long Island Sound, the massive waterway that separates the states.

The fight centers on the Environmental Protection Agency's proposal that would permit additional disposal of dredge materials at several sites in the Sound for the next 30 years. Democratic Gov. Andrew Cuomo said Thursday the state would consider legal action if federal officials proceed.

"The Long Island Sound is one of New York's greatest natural treasures and a vital component of Long Island's tourism industry," Cuomo said. "The EPA's plan to establish a new disposal site not only poses a major threat to this ecologically vital habitat, but impedes our progress in ending open water dumping in Long Island's waters once and for all."

Cuomo was joined by a bi-partisan contingent of elected officials and environmentalists at a

news conference at a state park overlooking the water, with the shoreline of Connecticut in the distance.

"The public loves this water body and has always considered Long Island Sound to be an extension of our home," said Adrienne Esposito, executive director of the Citizens Campaign for the Environment. "We consider the Sound as our front yard, or our backyard but never as a junkyard. We expect the EPA to protect the Sound, not pollute the Sound."

An EPA spokesman said a final decision on dumping, which has been permitted since the 1980s, would be made later this year.

"Dredging is needed to ensure safe navigation in the Sound," said EPA spokesman Dave Deegan. "The EPA has not made a final decision, but we believe the proposal strikes an appropriate balance between the need for dredging to maintain safe and efficient navigation, and our desired outcome to restore and protect Long Island Sound."

Last month, both the Connecticut and Rhode Island congressional delegations told the EPA it supported the proposal. The lawmakers sent a letter to the EPA expressing the importance of "preserving and protecting the environment" in the region. They argue that transporting dredged materials to other sites would increase carbon emissions from ships and the risk of dredged material spills.

Connecticut officials say they agree with goals set by the EPA and U.S. Army Corps of Engineers to find alternatives to dumping the silt, but say it's not always practical, and that "open water disposal" of the dredged material is likely to be necessary for years to come. The majority of dredging activities occurs in Connecticut and the dump sites are technically in that state's waters.

Besides dredging of rivers for recreational boating, ferries and water-borne commerce including fuel deliveries, Connecticut officials say there are national security interests in keeping waterways clear for the Naval Submarine Base and U.S. Coast Guard Academy, both in New London, Connecticut.

"Given the characteristics of our state and its coastline — Connecticut's dredging needs are vastly more significant than other states that share the benefits and beauty of Long Island Sound with us," Robert Klee, the state's Department of Energy and Environmental Protection said at a U.S. Army Corps of Engineers hearing last year.

George E. Wisker, an environmental analyst with Connecticut's Department of Energy and Environmental Protection, argued that the sediments disposed of in the Sound are tested and dumping of toxic materials is not permitted. He conceded there may be low levels of contamination in some of the material, but argued none is defined as toxic.

Cuomo said New Yorkers would "agree to disagree" with their neighbors on the issue.

The Long Island has 600 miles of coastline, is 21 miles wide and 110 miles long and generates \$9.4 billion for the economy of both states, according to a recent study. More than 23 million people live within 50 miles of its coast.

PHOTO: New York Gov. Andrew Cuomo speaks at an event on Thursday, Aug. 4, 2016, at

Sunken Meadow State Park in Kings Park, N.Y. Cuomo said Thursday the state would consider legal action if federal officials proceed with plans to expand dumping sites. (AP Photo/Frank Eltman)

The Associated Press

Cuomo threatens legal action over Long Island Sound dumping

08/04/2016

Newsday

Gov. Andrew M. Cuomo and dozens of elected officials on Thursday signed a letter to President Barack Obama saying New York will sue the federal government if the U.S. Environmental Protection Agency proceeds with a plan to add one or two open-water dump sites in Long Island Sound and allow dredged sludge to be disposed of there.

At Sunken Meadow State Park, with the Sound's waters glistening in the background, the governor, elected officials from multiple levels of government and environmental activists gathered to speak as one in condemning the EPA plan that would allow dredged soil and sediment to be disposed of in the waters near Fishers Island.

"If the federal government goes ahead with dumping additional dredged material, we will take every action that we can, every resource that we can," Cuomo said. "And if that includes legal action to stop the federal government, that is exactly what we will do, because this cannot happen, period, my friends."

At issue is a plan by the U.S. Army Corps of Engineers which, subject to EPA approval, would allow the dredged material to be dumped in the eastern region of the Sound.

The Army Corps, which has rejected alternative disposal methods as too costly, has said most of the dredged soil and sediment is safe for open-water dumping. The EPA agrees.

The opposition cuts across political party lines and has united officials at the town, county, state and federal levels.

Among the guests who sat in white folding chairs and listened to the governor and other speakers were Rep. Lee Zeldin (R-Shirley), state Sens. John Flanagan (R-East Northport) and Kenneth LaValle (R-Port Jefferson), Assemb. Steve Englebright (D-Setauket), Suffolk County Executive Steve Bellone, and Adrienne Esposito, executive director of the Citizens Campaign for the Environment.

Cuomo, Flanagan and others said that with advanced technological improvements, the federal government should look for other ways to get rid of dredged sludge rather than continue to rely on open-water disposal.

"Why are we dumping anything in Long Island Sound," Flanagan asked.

EPA spokesman Dave Deegan, noting that the agency has not reached a final decision, said it is "confident that its proposal to designate an open-water disposal site in eastern Long Island Sound strikes an appropriate balance."

Since the 1970s, he said, the EPA has worked with the states and other federal agencies to apply stringent sediment testing requirements to all dredging projects and prevent dredged material that is contaminated from being placed at open-water sites.

The Army Corps is overseeing 52 navigation projects in various waterways - 31 in Connecticut, 17 in New York and four in Rhode Island. Earlier this year, it estimated that material dredged during work on various projects could produce as much as 53 million cubic yards of sludge over the next three decades. Most of the soil and sediment come from Connecticut.

State and local environmental officials do not dispute that harbors and ports need to be dredged to allow boats, cargo ships and passenger liners to pass safely, but they disagree on where to dispose of the material.

"Environmental and civic groups have consistently and rigorously opposed the dredge dumping scheme," Esposito said Thursday in a statement. "The public loves this water body and has always considered the Long Island Sound to be an extension of our home . . . We expect the EPA to protect the Sound, not pollute the Sound."

Soil and sediment pulled from the bottom of rivers, lakes and harbors can contain mercury, lead and pesticides, and is harmful to marine life, said critics, who have urged federal officials to repurpose the material and put it to use.

Since the 1980s, dredged material has been dumped at four open-water disposal sites in the Long Island Sound. The EPA in July said that, starting this month, it will allow the sludge to be disposed of at two sites in the western and central portions of the Sound over the next three decades.

However, the EPA said those sites don't have the capacity to handle the anticipated volume over the next 30 years. So the agency proposed adding up to two more dump sites in the Sound's eastern region.

Among those are the locations called Cornfield Shoals and New London, both near Fishers Island. Permits for those two areas expire Dec. 23.

The EPA wants to keep the western half of the New London site open and expand it to include an adjacent portion to its west. This location, named Eastern Long Island Sound, is EPA's preferred disposal site, although the agency is considering several options.

New York's Department of State, which governs the coast, and the Department of Environmental Conservation disagree with the EPA's conclusion. In a July 18 letter, the state agencies said additional disposal sites are not needed.

The EPA is expected to issue a final decision in the fall.

Politico

Cuomo threatens EPA with legal action over offshore dumping

By DAVID GIAMBUSSO

08/04/16 06:27 PM EDT

A fresh battle has emerged between Gov. Andrew Cuomo's administration and the federal Environmental Protection Agency, this time over dumping in the Long Island Sound.

In a letter sent Thursday and in public remarks, Cuomo vowed a full-scale legal battle with the EPA if it finalizes a rule that would allow another permanent dumping site for dredged materials in the sound. Many elected officials from both parties are behind the governor, and they signed the letter as well.

The EPA said Thursday that while no plans have been completed, the dumping site was established after extensive outreach with local officials and is the best location to dump the materials.

"We say to the federal government, 'It would be nice if you were helpful, by the way. It would be nice if you helped us with funds, if you helped us with resources,'" Cuomo said in remarks at Sunken Meadow State Park on Long Island. "But I will be darned if you are going to be counterproductive to us and we are going to be spending money to clean it up. You're spending money to dump more dredged material. It's not going to happen."

Officials at EPA Region I, which covers New England, said the dredging is a necessity for safe navigation of commercial and military vessels and that any dumping would be done in an environmentally sound manner.

"The EPA worked with federal, state, and local agencies, and conducted extensive public participation in developing its proposal," EPA spokesman David Deegan said in a statement. "The EPA has not made a final decision, but we believe the proposal strikes an appropriate balance between the need for dredging to maintain safe and efficient navigation, and our desired outcome to restore and protect Long Island Sound."

The federal agency said it was looking to establish a new site for dredge dumping before two other sites are set to expire in December. EPA also said it requires stringent sediment analyses to make sure no contaminated material is dumped at the offshore sites.

The agency conducted six public meetings while developing the draft environmental impact statement for the site and four public hearings when the draft was completed. The final rule has not been finalized.

"EPA is carefully reviewing all the comments it received during the public comment period which closed on July 18th after an 81-day comment period," Deegan said. "We will evaluate all input — including recommendations for and against the proposal — before taking action to either finalize the site designation or to modify the proposal."

In the letter to President Obama and EPA administrator Gina McCarthy, Cuomo, along with 32

other state, local and federal elected officials, vowed to take legal action if the site is finalized.

"If EPA ignores New York's objections and finalizes its rule to permanently designate an open water disposal site in eastern Long Island, I will take all necessary steps to challenge the rule and stop it from being implemented," Cuomo wrote.

The letter, which can be read [here](#), was signed by Reps. Peter King and Sean Patrick Maloney as well as state Senate Majority Leader John Flanagan, among others.

It is not Cuomo's first tussle with the EPA. In 2015 the federal agency blocked the governor's plans to use \$511 million from the Clean Water State Revolving Fund to fund construction of the new Tappan Zee bridge.

More recently, POLITICO New York reported that the Cuomo administration resisted repeated calls from the EPA to take more aggressive action on tainted water in Hoosick Falls.

Editorial

Stop the new 30-year plan to dump in Long Island Sound

08/03/2016

Newsday

The news keeps getting worse when it comes to an Army Corps of Engineers plan to dump dredge spoils into Long Island Sound.

Now the Environmental Protection Agency has approved three more decades of continued dumping at two sites in the Sound - one north of Lloyd Neck in Huntington, the other north of Shoreham near New Haven, Connecticut. The expected volume of 53 million cubic yards, most of it dredged from Connecticut harbors and waterways, would fill more than 14 large football stadiums.

Worse, the EPA will OK a third location this fall for another 22.6 million cubic yards it says cannot be handled by the other two sites; this third spot is in the eastern end of the Sound, north and east of Orient Point, an area the federal government itself has identified as an essential fish habitat.

If this all sounds crazy, that's because it is.

Long Island Sound, so important to the region for both recreation and commerce, has been degraded for years. But progress toward restoring it has been made recently, mostly through improved sewage treatment in New York and Connecticut. Dolphins and whales have been spotted in the Sound and bait fish are more plentiful. But there's so much more to do. That's what makes these new developments so disappointing.

Dredging must take place in Connecticut for marine traffic to move smoothly and safely. But

those spoils can contain toxic materials such as cadmium, mercury, lead, copper and pesticides. Even the material that is clean consumes oxygen, blocks sunlight, and kills organisms on the Sound's floor. Among those justifiably opposing the plans are environmentalists, local officials, and New York's Department of State and Department of Environmental Conservation.

The EPA's approval requires the Corps to form a committee that would work on reducing the dumping by finding ways to reuse the sludge. But that's precisely what the EPA and Army Corps promised to do a decade ago. Back then, the Army Corps wanted to extend expiring permits for two of the dumping sites, but Gov. George Pataki blocked that plan, and the EPA, Army Corps, New York and Connecticut agreed that the dumping could continue while the Corps drafted a new plan for alternatives to dumping in Long Island Sound. But this new plan contains no such alternatives, citing them as too costly, when such ideas - like using the sludge to restore wetlands and cap landfills - already are being employed elsewhere. At the very least, officials from New York and Connecticut will be represented on this committee. But we remain skeptical that this will lead to changes when the agencies that promised to take such actions 10 years ago did not.

And 30 years is far too long. The Army Corps should be on a 10-year timetable to phase out the dumping, as suggested by Rep. Lee Zeldin. A 10 percent reduction per year over those 10 years would do it. Dredged material that is clean could be used to fortify coastal areas at risk for sea-level rise, as suggested by Assemb. Steven Englebright. Both are sensible ideas.

New York State is threatening to sue to stop the dumping, saying Long Island Sound should not be a waste-disposal site. We agree. If legal action is needed to derail this plan and force the EPA and Army Corps to commit to concrete plans for phasing out the dumping, Gov. Andrew M. Cuomo should direct the state to proceed. Too much progress has been made in restoring Long Island Sound to muck it up again. - The editorial board

RiverHead Local.com

Cuomo: New York will take legal action to block EPA L.I. Sound dredge dumping rule

by Denise Civiletti

Aug 4, 2016, 8:05 pm

New York State will take legal action against the United States Environmental Protection Agency to prevent the designation of new permanent open water disposal sites off the coast of eastern Long Island, Gov. Andrew Cuomo announced today at a press conference at Sunken Meadow State Park.

The governor today released a letter signed by more than 30 federal, state and local elected officials, providing notice to President Barack Obama and EPA officials that the state will take necessary steps to block the EPA from issuing a rule allowing dredged materials from Connecticut to be dumped in the eastern region of the Long Island Sound.

"The Long Island Sound is one of New York's greatest natural treasures and a vital component of Long Island's tourism industry," Cuomo said.

New York has spent “billions and billions of dollars” to clean up and protect the Sound, Cuomo said.

“The EPA’s plan to establish a new disposal site not only poses a major threat to this ecologically vital habitat, but impedes our progress in ending open water dumping in Long Island’s waters once and for all.”

“This state is committed to ensuring the Sound remains a viable source of economic and tourist activity and we will continue to take any action necessary to preserve this precious jewel for generations to come,” Cuomo said.

The EPA has failed to show that there is need for an additional disposal site, the governor said.

In 2005, New York State called for, and EPA agreed to, establish a goal of reducing or eliminating dredged material disposal in the open waters of the Long Island Sound. The recent EPA decision to allow new dumping sites in eastern Long Island Sound contradicts this agreement.

The EPA claims that disposal sites in central and western L.I. Sound do not have the capacity to accept additional dredged materials and has issued a proposed rule, making the short-term dumping sites in eastern Long Island Sound, which are scheduled to expire on Dec. 23, 2016, permanent.

Last month, the New York Department of State and the New York State Department of Environmental Conservation laid out the state’s concerns regarding the plan to establish a new disposal site, the governor said. A New York State review found that eastern Long Island sound disposal sites are not necessary because there is enough capacity at the central and western Sound sites to meet the needs of future dredged material disposal. Permanent designation of a new dredging site will impede the state’s goal to reduce or eliminate open water disposal in the Long Island Sound.

Dredging is necessary to maintain navigable waterways in the Sound, but open water dumping of dredged materials can be harmful to the diverse marine ecosystem, the governor’s office said in a press release. Eastern Long Island sound is a popular tourist area and home to several ecologically important designated coastal fish and wildlife habitats. Contaminants present in the dredged material can potentially affect the feeding activities of these fish and other organisms, and at extremely high concentrations can kill or injure them, according to the release. Designating permanent disposal sites in eastern Long Island Sound will impede public access and limit uses such as fishing (recreational and commercial), shell fishing, swimming, and diving, the governor said.

Congressman Lee Zeldin said he is “very grateful” to the state for its action.

“The Long Island Sound shouldn’t be a dumping ground, especially when there are many viable alternatives to open water dumping, including recycling and safe disposal on land,” Zeldin said. “I will continue doing everything in my power to stop this misguided proposal to allow for the continued protection of the Long Island Sound.”

Cuomo: New York State Will Sue Over Dredge Spoil Dumping in Long Island Sound

The governor joined forces with environmentalists and elected officials who've been crying out about the dumping for months.

By Lisa Finn

Patch

August 4, 2016 9:26 pm ET

New York State Governor Andrew Cuomo has one word for continued dredge spoil dumping in eastern Long Island Sound: No.

At a press conference Thursday held in Sunken Meadow State Park, Cuomo announced that New York State will take legal action against the United States Environmental Protection Agency to prevent the designation of new permanent open water disposal sites off the coast of eastern Long Island.

In a letter signed by more than 30 federal, state and local elected officials, the governor provided notice to President Barack Obama and EPA officials that the state will take necessary steps to prevent the EPA from issuing a rule allowing dredged materials from Connecticut to be dumped in the eastern region of the Long Island Sound.

The EPA has failed to show that there is need for an additional disposal site, Cuomo said, adding that the state objects to the dumping on the eastern end of Long Island, a tourist destination and ecologically vital areas, he said.

A copy of the letter sent to President Obama and EPA Administrators can be viewed [here](#).

"The Long Island Sound is one of New York's greatest natural treasures and a vital component of Long Island's tourism industry," Cuomo said. "The EPA's plan to establish a new disposal site not only poses a major threat to this ecologically vital habitat, but impedes our progress in ending open water dumping in Long Island's waters once and for all. This state is committed to ensuring the Sound remains a viable source of economic and tourist activity and we will continue to take any action necessary to preserve this precious jewel for generations to come."

In 2005, New York State called for, and EPA agreed to, establish a goal of reducing or eliminating dredged material disposal in the open waters of the Long Island Sound, he said.

The recent EPA decision to allow new dumping sites in eastern Long Island Sound contradicts this agreement, Cuomo maintained.

Currently two dredged material disposal sites exist in the Sound, where sediment has been dumped since the 1980s, including Western Long Island Sound and Central Long Island Sound. The EPA designated the Western and Central Long Island Sound as ocean disposal sites for long-term use. The U.S. Army Corps of Engineers has been using the eastern sites for short term disposal and now EPA is proposing to make these sites long-term permanent sites, he explained.

The EPA claims that the Central and Western disposal sites do not have the capacity to accept additional dredged materials and has issued a proposed rule, making the short-term dumping sites in eastern Long Island Sound, which are scheduled to expire on December 23, 2016, permanent, he said.

A New York State review found that eastern Long Island sound disposal sites are not necessary because there is enough capacity at the Central and Western Long Island Sound sites to meet the needs of future dredged material disposal, Cuomo said.

Over the past six years, New York State has made significant investments to combat the threat to the waters around Long Island and restore its water quality, Cuomo said.

State and local governments along the Sound in New York have spent nearly \$2 billion to build or upgrade sewage treatment plants to restore water quality and protect drinking water from Long Island's aquifers, and environmentalists have banded together to protest the dumping of dredge spoils.

"I'm very grateful to Governor Cuomo and New York State for taking this important action to protect the Long Island Sound," said Rep. Lee Zeldin. "Any continuation of open water dumping in the Eastern Long Island Sound is unacceptable after the EPA committed to close these sites at the end of this year. So much progress has been made in saving the Sound, one the nation's most critical and populated watersheds. It is critical that the EPA and Army Corps do not impede this progress through this misguided proposal."

He added, "The Long Island Sound shouldn't be a dumping ground, especially when there are many viable alternatives to open water dumping, including recycling and safe disposal on land."

Other elected officials agreed.

"The natural beauty of Long Island Sound makes Suffolk County a special destination for fishing, boating, and boundless tourism opportunities. I proudly support Governor Cuomo's letter to the EPA — sending a message to the federal government that the Sound is ours to cherish, and ours to protect," said Suffolk County Executive Steve Bellone.

Adrienne Esposito, Executive Director of Citizens Campaign for the Environment, supported the governor's charge: "Governor Cuomo is standing up to protect our national treasure — The Long Island Sound. Environmental and civic groups have consistently and rigorously opposed EPA's dredge dumping scheme. The public loves this water body and has always considered the Long Island Sound to be an extension of our home. We consider the Sound as our front yard, or our back yard, but never as a junk yard. We expect the EPA to protect the Sound, not pollute the Sound."

This summer, Esposito said, humpback whales and dolphins have been seen once again visiting the Sound, a sign that restoration efforts are working.

Southold Town Supervisor Scott Russell, who was unable to make the event Thursday, applauded the governor's announcement.

"I am pleased that New York has stepped in to help Congressman Zeldin, Senator Kenneth

LaValle, Assemblyman Anthony Palumbo, Suffolk County Legislator Al Krupski and other East End representatives to wage this battle that has gone on for some time now."

Long Island Sound Dump Plan Puts NY, CT At Odds

By JD Allen • 11 hours ago

wshu.org

New York Governor Andrew Cuomo joined Long Island politicians in Sunken Meadow State Park to call on the EPA to reject the Army Corps of Engineer's plan to continue dumping dredged materials into Long Island Sound for the next 30 years

Credit JD Allen

New York Governor Andrew Cuomo and dozens of Long Island elected officials are calling on the Environmental Protection Agency to stop the Army Corp of Engineers' plan to continue to dump dredged materials into Long Island Sound for the next 30 years.

Cuomo said Thursday that it's absurd to spend so much time and money in cleaning up the sound as another branch of government makes it worse.

"So it's like one of those cartoons, where they're shoveling out on one side and the other side is shoveling back in." Cuomo said.

Dredging is mainly done in Connecticut to keep its rivers and ports navigable. The plan has the endorsement of the Connecticut Department of Energy and Environmental Protection and the state's congressional delegation.

More than a dozen Long Island lawmakers joined New York's governor on Thursday to send the EPA a letter. They say the continued dumping of dredged materials from Connecticut will adversely affect quality of life in Long Island.

"We will take every action that we can, we will use every resource and if that include legal action to stop the federal government because this cannot happen. Period." Cuomo said.

In a statement, the EPA said it has not made a final decision on the plan but that it strikes a balance between the need to safely navigate Long Island Sound and the need to protect it.

A final decision is expected later this year.

Long Island Business News

NY takes steps to keep LI Sound disposal sites closed

By: Adina Genn August 4, 2016 0

New York State has joined the effort in calling on the Environmental Protection Agency to reject a proposal to designate a disposal site for dredged materials, from harbors and navigation channels, in the eastern region of the Long Island Sound.

Gov. Andrew Cuomo is sending a letter signed by more than 30 federal, state and local elected officials to President Barack Obama and the EPA stating that the state will take legal action to prevent the permanent disposal site.

"If the federal government goes ahead with dumping additional dredged material we will take every action that we can, every resource that we can," Cuomo said Thursday at Sunken Meadow State Park, where he was joined by Sen. John Flanagan, R-Northport, and County Executive Steve Bellone, among others. "If that includes legal action to stop the federal government that is exactly what we will do because this cannot happen period."

According to the EPA's Region 1, in April, the agency released a proposed rule designating a dredged material disposal site in eastern Long Island Sound. The restrictions proposed for the designated Eastern Long Island Sound disposal site are identical to the ones proposed for the central and western Long Island Sound disposal sites, according to the EPA's Region 1.

"These restrictions are intended to support the goal of reducing or eliminating open-water disposal of dredged material in the Sound, and to promote the beneficial use of dredged material, such as beach nourishment, or other alternatives to open-water disposal whenever practicable," the EPA's Region 1 stated.

The U.S. Army Corps of Engineers estimates the dredging needs in eastern Long Island Sound to be approximately 22.6 million cubic yards during the next 30 years.

On Thursday, Cuomo spoke of the "delicate balance" needed to maintain the health of Long Island Sound.

"It would be absurd that while we are spending so much time and money in cleaning up the water, another branch of government is literally adding pollutants as we are removing pollutants," Cuomo said.

"It is almost like one of those cartoons where they are shoveling out on one side and the other side is shoveling in," he added. "We are here to clean up the Sound, not to dump more dredged material into the Sound to create more issues."

Governor Cuomo Announces State to Take Legal Action Against the EPA To Prevent Permanent Disposal Site Off the Coast of Eastern Long Island

Nature & Weather, Local News, Press Releases

By Long Island News & PR

Published: August 05 2016

Governor Cuomo announced NYS will take legal action against EPA to prevent the designation of new permanent open water disposal sites off the coast of eastern LI.

Photo by: Kevin P. Coughlin/Office of the Governor.

Long Island, NY - August 4, 2016 - Governor Andrew M. Cuomo today announced New York State will take legal action against the United States Environmental Protection Agency to prevent the designation of new permanent open water disposal sites off the coast of eastern Long Island.

In a letter signed by more than 30 federal, state and local elected officials, the Governor provided notice to President Obama and EPA officials that the state will take necessary steps to prevent the EPA from issuing a rule allowing dredged materials from Connecticut to be dumped in the eastern region of the Long Island Sound.

The EPA has failed to show that there is need for an additional disposal site. At an event at Sunken Meadow State Park, the Governor announced that the state objects to any further dumping in the eastern region of the Long Island Sound – a popular tourist and ecologically vital area. This action builds on the state's goal to eliminate disposal in the open waters of Long Island.

A copy of the letter sent to President Obama and EPA Administrators can be viewed [here](#).

Photo Credit: Kevin P. Coughlin/Office of the Governor.

"The Long Island Sound is one of New York's greatest natural treasures and a vital component of Long Island's tourism industry," Governor Cuomo said. "The EPA's plan to establish a new disposal site not only poses a major threat to this ecologically vital habitat, but impedes our progress in ending open water dumping in Long Island's waters once and for all. This state is committed to ensuring the Sound remains a viable source of economic and tourist activity and we will continue to take any action necessary to preserve this precious jewel for generations to come."

Photo Credit: Kevin P. Coughlin/Office of the Governor.

"Long Island Sound is a vital economic and ecological treasure that deserves the utmost protection, not outdated dredging management decisions that undermine its integrity" said Basil Seggos, Commissioner of the New York State Department of Environmental Conservation. "Governor Cuomo has made it clear that New York State will not stand idly by while the federal government walks away from its commitment to reduce or eliminate the disposal of dredge spoils in the open waters of this amazing ecosystem."

"The Department of State fully supports Governor Cuomo's efforts to protect the Long Island Sound and its rich marine life," said New York Secretary of State Rossana Rosado. "We have long been committed to reducing dredged material in these waters and the current plan contradicts those goals. We look forward to helping preserve the commercial and recreational opportunities the Sound provides for so many New Yorkers."

In 2005, New York State called for, and EPA agreed to, establish a goal of reducing or

eliminating dredged material disposal in the open waters of the Long Island Sound. The recent EPA decision to allow new dumping sites in eastern Long Island Sound contradicts this agreement.

There are currently two dredged material disposal sites in the Sound, where sediment has been dumped since the 1980s including Western Long Island Sound and Central Long Island Sound. The EPA designated the Western and Central Long Island Sound as ocean disposal sites for long-term use. The U.S. Army Corps of Engineers has been using the Eastern sites for short term disposal and now EPA is proposing to make these sites long-term permanent sites.

The EPA claims that the Central and Western disposal sites do not have the capacity to accept additional dredged materials and has issued a proposed rule, making the short-term dumping sites in eastern Long Island Sound, which are scheduled to expire on December 23, 2016, permanent.

Last month, the New York Department of State and the New York State Department of Environmental Conservation laid out the state's concerns regarding the plan to establish a new disposal site. A New York State review found that eastern Long Island sound disposal sites are not necessary because there is enough capacity at the Central and Western Long Island Sound sites to meet the needs of future dredged material disposal. Permanent designation of a new dredging site will impede the state's goal to reduce or eliminate open water disposal in the Long Island Sound.

Over the past six years, New York State has made significant investments to combat the threat to the waters around Long Island and restore its water quality. State and local governments along the Sound in New York have spent nearly \$2 billion to build or upgrade sewage treatment plants to restore water quality and protect drinking water from Long Island's aquifers.

"Long Island Sound is a vital economic and ecological treasure that deserves the utmost protection, not outdated dredging management decisions that undermine its integrity," said Basil Seggos, Commissioner of the New York State Department of Environmental Conservation.

Impacts of Dredged Material Disposal

Dredging is necessary to maintain navigable waterways in the Sound, but open water dumping of dredged materials can be harmful to the diverse marine ecosystem. Eastern Long Island sound is a popular tourist area and home to several ecologically important designated Coastal Fish and Wildlife Habitats. Contaminants present in the dredged material can potentially affect the feeding activities of these fish and other organisms, and at extremely high concentrations can kill or injure them. Designating permanent disposal sites in eastern Long Island Sound will impede public access and limit uses such as fishing (recreational and commercial), shell fishing, swimming, and diving.

Congressman Peter King said, "As a recipient of the Long Island Sound Guardian Award, I am proud to support Governor Cuomo's legal efforts against the US EPA. We must continue our efforts to protect and conserve the environmental and economic benefits of the Sound."

Congressman Steve Israel said, "Long Island Sound is a national treasure and is vital to our regional economy. I have spent that last sixteen years in Congress fighting to clean up and protect the Sound, and I will not accept the EPA's plan to designate additional sites for dumping

more dredging materials off our shores. We have made too much progress in restoring Long Island Sound to allow this plan to go forward in its current form and I will fight to ensure that Long Island Sound is protected.”

Congresswoman Kathleen Rice said, “The Long Island Sound is an environmental treasure and an economic asset that we have a responsibility to protect,” said Representative Kathleen Rice. “Allowing the permanent dumping of dredged materials in the eastern Sound is both unnecessary and could pose a serious threat to wildlife and local economic activity, and we’re united in our determination to prevent the EPA from implementing this plan.”

Congressman Lee Zeldin, “I’m very grateful of Governor Cuomo and New York State taking this important action to protect the Long Island Sound. Any continuation of open water dumping in the Eastern Long Island Sound is unacceptable after the EPA committed to close these sites at the end of this year. So much progress has been made in saving the Sound, one the nation’s most critical and populated watersheds. It is critical that the EPA and Army Corps do not impede this progress through this misguided proposal. The Long Island Sound shouldn’t be a dumping ground, especially when there are many viable alternatives to open water dumping, including recycling and safe disposal on land. I am proud to partner with the Governor and other Long Island elected officials at the state, federal, and local level to express our strong opposition to the continuation of dumping in the Long Island Sound. I will continue doing everything in my power to stop this misguided proposal to allow for the continued protection of the Long Island Sound.”

Senate Majority Leader John J. Flanagan said, “The Long Island Sound is one of the key natural resources that define and shape our region. New York State has made significant investments to help repair decades of damage to this critical water body and real progress is being made, which makes the EPA’s recent proposal to expand the number of dredged material disposal sites in the Sound even more difficult to comprehend. My Senate Republican colleagues and I fully support using whatever resources the state has at its disposal to fight the EPA’s plan and protect the long-term health of the Sound so that it will continue to be an environmental and economic asset for future generations of Long Islanders.”

Senator Tom O’Mara, Chair of the Senate Environmental Conservation Committee, said, “I’m happy to get behind and help support this effort by many of my Senate colleagues and the Cuomo administration to prevent the designation of an eastern Long Island Sound disposal site. I agree that we cannot risk any further deterioration of the quality of the Long Island Sound.”

Assemblyman Steve Englebright, Chair of the Assembly Committee on Environmental Conservation, said, “Federal, State, and local governments have spent billions of taxpayer dollars to clean up Long Island Sound and significant progress has been made. During the last year we’ve seen dolphins and humpback whales return to the Sound attracted by an abundance of bait fish. Continued dredge dumping will make the task of cleaning up the Sound much more difficult. This nationally significant estuary deserves a dredge disposal plan that is consistent with and respectful of the ecological and recreational services it provides. I want to thank Governor Cuomo for his commitment to preserving our state’s legacy of environmental stewardship and am proud to stand with him in preserving this outstanding marine ecosystem.”

Photo Credit: Kevin P. Coughlin/Office of the Governor.

County Executive Steve Bellone said, “The natural beauty of Long Island Sound makes Suffolk

County a special destination for fishing, boating, and boundless tourism opportunities. I proudly support Governor Cuomo's letter to the EPA -- sending a message to the federal government that the Sound is ours to cherish, and ours to protect. I thank the Governor for his leadership and I am proud to stand with him in preserving such an important economic and environmental asset for the Long Island region."

Adrienne Esposito, Executive Director of Citizens Campaign for the Environment, said, "Governor Cuomo is standing up to protect our national treasure—The Long Island Sound. Environmental and civic groups have consistently and rigorously opposed EPA's dredge dumping scheme. The public loves this water body and has always considered the Long Island Sound to be an extension of our home. We consider the Sound as our front yard, or our back yard but never as a junk yard. We expect the EPA to protect the Sound, not pollute the Sound. This summer we once again see humpback whales and dolphins visiting the Sound, a sign that our restoration efforts are working. A reckless plan to increase dumping of dredged material thwarts continued progress. We are generally thrilled that Governor Cuomo is now leading the charge on this critical issue."

Erin Crotty, Executive Director of Audubon New York, said, "Audubon New York is grateful for Governor Andrew Cuomo's leadership in protecting the Long Island Sound, which is one of the richest veins of biodiversity on the planet and essential to the survival of migrating shorebirds and waterbirds of the Atlantic Flyway. Governor Cuomo's decisive action to prevent the ocean disposal of dredged material directly into Eastern Long Island Sound preserves the quality of life for the people and wildlife of Long Island, while protecting the billions of dollars New York has invested in restoring the Long Island Sound ecosystem."

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